

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24484 of 2004

Between:

Munjam Komaraiah, S/o. Narsaiah,
Kakatiya Khani 1 A Mine, Singareni Collieries Company Ltd.,
Bhupalapalli (Post), Warangal District.

..... PETITIONER

AND

- 1 The Singareni Collieries Company Ltd., Bhupalapalli (Post), Warangal District, rep. by its General Manager.
- 2 The Colliery Manager, Kakatiya Khani 1 A Mine, Singareni Collieries Company Ltd., Bhupalapalli Post, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue writ, or order, or direction especially in the nature of Writ of Mandamus declaring the action of the respondents in asking the petitioner to work underground now, although he was confirmed as General Mazdoor (Surface) 22 years back w.e.f. 8-7-1983 vide Office Order dt. 16.56.1984 with out any notice, or passing any order and with out following the procedure laid down in the I.D. Act as illegal and unjust and in consequence direct the respondents to allow him to work on surface as per his designation, and pass such other order or orders as this Hon'ble Court deems just and necessary in the circumstances of the case.

Counsel for the Petitioner: MR.R.N.REDDY

Counsel for the Respondents: MR.NANDIGAM KRISHANA RAO

The Court at the admission stage made the following :

The Hon'ble Sri Justice

K.C. Bhanu

W.P. No. 24484 of 2004

ORDER:

The present writ petition is filed seeking to declare the action of the respondents in asking the petitioner to work underground now although he was confirmed as General Mazdoor (Surface) 22 years back as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

As the respondents have to take appropriate decision on the representation said to have been made by the petitioner on 14.9.2004 and through union vide letters dated 21.9.2004 and 11.10.2004, without going into the merits of the case the writ petition is disposed of directing the respondents to take appropriate decision on the said representations within a period of one month from the date of receipt of a copy of this order in accordance with the rules and regulations of the respondent-Company.

K.C. Bhanu, J.

Date: 21—03—2005.

MVB.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The General Manager, Singareni Collieries Company Ltd., Bhupalapalli (Post), Warangal District,

2 The Colliery Manager, Kakatiya Khani 1 A Mine, Singareni Collieries Company Ltd., Bhupalapalli Post, Warangal District.

3. 2 CD copies